

MINUTES
May 14, 2019
Committee of the Whole
City of Batavia

Please **NOTE:** These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

Chair Wolff called the meeting to order at 7:00pm.

1. Roll Call

Members Present: Chair Wolff; Ald. Miller, Russotto, Beck, Knopp, Chanzit, Salvati, O'Brien, Callahan, Meitzler, Malay (entered at 7:57pm), Uher, Cerone, McFadden

Members Absent:

Also Present: Mayor Schielke; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Jeff Albertson, Building Commissioner; Andrea Podraza, Senior Civil Engineer; Rahat Bari, City Engineer; and Jennifer Austin-Smith, Recording Secretary

2. Reminder: Please speak into the microphone for BATV recording

3. Items to be Removed/Added/Changed

There were no items to be removed, added or changed.

4. Matters From the Public (For Items NOT on the Agenda)

There were no matters from the public for items not on the agenda.

5. Presentation – Monthly Wastewater Treatment Facility Construction Update

Jerry Ruth, Trotter and Associates, presented on the Monthly Wastewater Treatment Facility construction update and covered the following:

- Phase 1 Rehabilitation
- Project Highlights
- Project Schedule
- Project Photos
- Process Start-Ups
- Occupancy

6. Approval: Class B-1 (Package Sales) Liquor License Application for Chicago Tavern Group – Batavia LLC., d/b/a Crown Liquor – 135 First Street (DE 5/9/19) CS

Motion: To recommend to City Council approval of Class B-1 (Package Sales) Liquor License Application for Chicago Tavern Group – Batavia LLC., d/b/a Crown Liquor – 135 First Street

Maker: Salvati

Second: Uher

Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.

7. Ordinance 19-38: Grant of Conditional Use for a Microblading/Permanent Make-Up Establishment – 3 E Wilson St. Gabriel Sosa, Applicant (DMR 5/9/19) CD

Rackow overviewed the memo with the Committee. The Committee discussed the state licensing and the Conditional Use for a microblading/permanent make-up establishment.

Motion: To recommend to City Council approval of Ordinance 19-38: Grant of Conditional use for a Microblading/Permanent Make-Up Establishment – 3 E Wilson St. Gabriel Sosa, Applicant

Maker: Chanzit

Second: Cerone

Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.

8. Discussion: Pedestrian Crossing Options for McKee Street at Batavia Avenue Intersection (RB 5/10/19) CS

*Alderman Malay entered the meeting at 7:57pm

Holm summarized the memo by Rahat Bari, City Engineer. The City received funding to install several rectangular rapid flashing beacons (RRFB) for pedestrian crossings. The RRFB on McKee has been the one crossing that has been the most concerning and troublesome due to site lines at this location. Super Bowl Sunday of last year, the RRFB got hit and destroyed by a vehicle. The State government had since rescinded their approval of these devices and denied the City's replacement. The Federal Government has since approved the reinstallation of the RRFB (once a patent issue was resolved).

City Staff has met with the Illinois Department of Transportation (IDOT) staff and discussed this with them for months. This road does not have enough traffic for a traffic signal. An informal in-house traffic study was performed by the City to see if the counts were close to what is required for a traffic light. If the counts were close than a consultant would be hired to do a full traffic study. In this case, we do not feel that there is a reason to hire a consultant and IDOT confirmed if the numbers are not there IDOT would not approve a traffic light at that location. A High Intensity Activated Crosswalk (HAWK) system was discussed with IDOT. IDOT will not allow these in our area, specifically on Batavia Avenue, because they feel it would be confused with a traffic signal and not a pedestrian signal at the intersection. That is one of the reasons IDOT will not allow it at this particular location. IDOT will allow HAWK systems in a mid-block application, between intersections, as long as it is certain distance from an intersection and as long as it is a certain distance from any driveway. Given this location there are driveways at every house so we could not meet the minimum distances in order for IDOT to approve a

HAWK system. IDOT has informed the City that we could not have a traffic signal and we will not be approved for a HAWK system.

Holm stated that we are back to a RRFB option. The flashing beacons that we had out there are a concern because they are visible to traffic in the outside lane but if there is a stopped vehicle in the outside lane the vehicle on the inside lane could not longer see the beacon that the other vehicle is blocking. Holm showed a configuration that has been approved to improve the safety of RRFB to the Committee. Staff is presenting options to the Committee:

- a) Leave the crosswalk as it stands today, without a RRFB
- b) Install RRFB with safety enhancements
- c) Implement a road diet to reduce Batavia Avenue from four lanes to two travel lanes

The Committee discussed safety concerns with RRFB, RRFBs creating a false sense of security for crossing pedestrians, leaving the crosswalk as it stands today, traffic causing it difficult to cross, strategic plan, making Batavia more pedestrian and bike friendly, reducing the speed and a road diet. Holm stated that in the past IDOT has considered our traffic counts to high for a road diet. Whether IDOT would reconsider is something staff could look into.

Callahan stated that he would recommend staff to go with option c, implement a road diet to reduce Batavia Avenue from four lanes to two travel lanes. Chief Eul stated that all of the four lane crossings are dangerous but this crossing is extremely dangerous because of the major arterial intersection that it is at. There is high-density traffic and a lot of dynamic traffic going on at that area. He suggested that an RRFB only be done with overhead mast arms and consider improvements to Union and Morton Street four lane crossing as well.

Matt Knowles, Bicycle Commission (BC) member, addressed the Committee. He stated that the BC is happy that this is being discussed. Most of us have children and are trying to figure out the safest way to travel. The research IDOT performed stated that the safest option on Houston Street is a pedestrian island and he hopes the City would consider that option. He noted that pedestrian islands are used all throughout the country and are not specific to one place.

Motion: To recommend to Council approval of Option 3: Implementation of a road diet to reduce Batavia Avenue from four travel lanes to two travel lanes

Maker: Callahan

Second: Cerone

Roll Call Vote: **Aye:** Callahan, Meitzler, Malay, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Salvati, Wolff, O'Brien

Nay: None

14-0 Vote, 0 Absent, Motion carried.

9. Ordinance 19-28: Amending the Text of the Zoning Code (DMR 5/9/19) (continued from 4/9/19 COW – COW 4/23/19 10/1 – COW 5/14/19) CD

Rackow overviewed the memo. The Committee discussed how storage sheds are defined, size of yards and uses allowed, what neighboring communities define accessory structures and their limitations, stormwater runoff, building permits require engineering review, and the need to regulate structures. The Committee discussed amending the text to the Zoning Code and

considered the amount of accessory structures allowed on each property. Chanzit suggested following the City of St. Charles ordinance.

Motion: To send Ordinance 19-28 to City Council
Maker: Wolff
Second: O'Brien

Discussion was held on the motion. Meitzler suggested amending the motion to remove item two and to revise item three so that it is only the 10% threshold. Chanzit stated that he would second that. After deliberation the motion was amended by Wolff to reflect what was discussed.

Motion: To send Ordinance 19-28 to City Council with modifications of eliminating section two, amending section three to no more than 10% of lot size of all properties, and prohibition of shipping containers as accessory structures
Maker: Wolff
Second: O'Brien
Roll Call Vote: **Aye:** Meitzler, Malay, Uher, Cerone, McFadden, Miller, Russotto, Beck, Chanzit, Salvati, Wolff, O'Brien
Nay: Callahan, Knopp
12-2 Vote, 0 Absent, Motion carried.

10. Ordinance 19-39: Annexing 216, 221, 224 and 229 Whipple Avenue (SCB 5/6/19) CD
Buening overviewed the memo with the Committee.

Motion: To recommend to City Council approval of Ordinance 19-39: Annexing 216, 221, 224 and 229 Whipple Avenue
Maker: Chanzit
Second: Knopp
Voice Vote: 14 Ayes, 0 Nays, 0 Absent
Motion carried.

11. Ordinance 19-40: Annexing 741, 749, 757, and 801 Pine Street (SCB 5/6/19) CD
Buening overviewed the memo with the Committee.

Motion: To recommend to City Council approval of Ordinance 19-40: Annexing 741, 749, 757, and 801 Pine Street
Maker: Chanzit
Second: McFadden
Voice Vote: 14 Ayes, 0 Nays, 0 Absent
Motion carried.

12. Ordinance 19-41: Annexing 615 and 621 Pine Street (SCB 5/6/19) CD
Buening overviewed the memo with the Committee.

Motion: To recommend to City Council approval of Ordinance 19-41: Annexing 615 and 621 Pine Street
Maker: Chanzit
Second: Uher
Voice Vote: 14 Ayes, 0 Nays, 0 Absent
Motion carried.

13. Discussion: Economic Development (LN 5/10/19) CD

Newman announced that the City's Economic Development Consultant, Chris Aiston, has announced his intention to retire in June 2020. Newman wanted to bring this to the Committee's attention to discuss replacement of this position prior to budget discussions. The consensus of the Committee was in favor of finding a contract employee with institutional knowledge. The Committee was in favor of exploring all options, including establishing an economic development organization/firm or a full time employee. Chanzit noted that he would like to have someone who takes this position have a great understanding of TIF Districts.

14. Discussion: Committee Chairmen and Vice-Chairmen Selection (LN 5/10/19) GS

The Committee discussed the requirements of Chairmen and Vice-Chairmen including the annual tracking of attendance. Callahan explained that it is within the last year when we do the yearly appointments and it would be first meeting in May and it is 85% of all COWs and 85% of all City Council. This does include if you attend over the phone or if you are late. It is very broad. Callahan explained why he made a motion to include the 85% attendance. He chose that because that is less than the average attendance. The average attendance over the years has been 87%-90%. We as a group have great attendance and that is why when it was put out there it was to make sure it is not against individuals. When you are chairing a meeting, the expectation is the team counts on you. It is a privilege to lead the rest of us. Callahan pointed out that when all of this was decided he made sure we are not making selections about personalities or the seat, which is why it is not retroactive and made the appointment for three years. This passed by 9-4 and that is why he would like us to hold ourselves accountable, which is why this was initially started. O'Brien stated that if you cannot attend a meeting because of personal reasons that is why there is a vice-chair. Mietzler stated that institutional knowledge and experience is valuable but from a citizen point of view the best representation that is a person who is present to serve the citizens and that is why he brought it up. Cerone suggested that we go by seniority and a year from now we could judge whether or not that is working and if needed consider attendance as a qualifier. Callahan stated that we either follow the law or we change it.

Newman noted that she only has the attendance information for the person's tenure. Newman asked the Committee to follow the seniority and make the selections. She could inform the Committee if anyone has less than 85% attendance for the year at an upcoming COW meeting, which would disqualify them, and we could then select someone else. Newman stated that at least the Committee chairs and vice-chairs could be selected tonight.

The Committee made the chairmen and vice-chairmen selections:

Government Services

Chair: Alderman Chanzit
Vice-Chair: Alderman McFadden

Community Development

Chair: Alderman Callahan
Vice-Chair: Alderman Cerone

City Services

Chair: Chair Wolff
Vice-Chair: Alderman Russotto

Public Utilities

Chair: Alderman O'Brien
Vice-Chair: Alderman Salvati

Motion: To suspend the rules and return to discussion of agenda item fourteen
Maker: Callahan
Second: Malay
Roll Call Vote: **Aye:** Callahan, Meitzler, Malay, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Salvati
Nay: Wolff
Present: Chanzit, O'Brien
11-1 Vote, 2 Present, 0 Absent, Motion carried.

Motion: To recommend to City Council amending the City Code Provisions, 1-5-3-2: Standing Committees, section B, section one to eliminate 'having been qualified at eighty five percent (85%) attendance
Maker: Callahan
Second: Salvatti
Roll Call Vote: **Aye:** Callahan, Meitzler, Malay, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Salvati, Wolff
Present: Chanzit, O'Brien
12-0 Vote, 2 Present, 0 Absent, Motion carried.

With the amendment, the Committee Chairmen and Vice-Chairmen selections could be brought to City Council.

15. Project Status

Newman reported on the project status:

- The MetroNet meeting was successful. The subcontractors attended the meeting as well. MetroNet hired a supervisor for construction in the City of Batavia. There is a sense of a strong commitment by MetroNet to improve and correct the issues addressed.

- Cerone suggested a discussion on all of the utilities at an upcoming meeting to help all learn more about the City's utilities.

16. Other

Mayor Schielke discussed the Freedom of Information Act (FOIA) with the Committee members. He noted that everything that happens from gavel to gavel is subject to FOIA, including all emails and text messages.

Chanzit noted that there are citizens, with the sustained rains, whose sub pumps have been working non-stop and they would like a permanent solution to that. The City is doing pumping as necessary but it looks like this is easily a million dollar project and something we should consider for the 2020 budget. Meitzler added that the citizens would like to know what the City is doing and how are they monitoring the situation as issues come up.

Callahan thanked the Mayor for connecting Batavia students with an Illinois senator or took the children on a tour of the senate floor.

17. Executive Session:

- a. **Sale or Lease of Public Property (GH 5/10/19)**
- b. **Collective Bargaining (WB 5/10/19)**
- c. **Personnel (WB 5/10/19)**

Motion: To enter into executive session for the purpose of sale or lease of public property, collective bargaining and personnel

Maker: Meitzler

Second: Malay

Voice Vote: 14 Ayes, 0 Nays, 0 Absent
Motion carried.

The Committee entered into Executive Session at 10:19pm and exited at 11:03pm.

18. Adjournment

There being no other business to discuss, Wolff asked for a motion to adjourn the meeting at 11:03pm; Made by Salvati; Seconded by O'Brien. Motion carried.

Minutes prepared and submitted by Jennifer Austin-Smith, Recording Secretary, on June 13, 2019.